

# **EXHIBIT “D”**

COPY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
EDWARD REICHERTER,

Plaintiff,

-against-

Civ. Case No.  
15-CV-03878

TOWN OF HEMPSTEAD,

Defendant.

-----x  
October 17, 2018  
10:00 a.m.

DEPOSITION of ANTHONY J. SANTINO, a  
Non-Party Witness, taken pursuant to Subpoena, held  
at the law offices of Jonathan A. Tand & Associates,  
1025 Old Country Road, Suite 314, Westbury, New  
York, before Ellen Rubin, a Certified Shorthand  
Reporter and Notary Public within and for the State  
of New York.

SANDY SAUNDERS REPORTING  
254 South Main Street, Suite 216  
New City, New York 10956  
(845) 634-7561

1 A. Santino

2 Elections.

3 Q. Okay. Did there come a point in  
4 time where you worked for the Town of Hempstead?

5 A. Yes.

6 Q. What was your last job at the Town  
7 of Hempstead?

8 A. I was the supervisor of the Town of  
9 Hempstead.

10 Q. That's an elected position,  
11 correct?

12 A. That's correct.

13 Q. How many terms did you hold as  
14 supervisor?

15 A. One.

16 Q. Prior to holding that position, did  
17 you hold any other positions with the Town of  
18 Hempstead?

19 A. I was a councilman, an elected  
20 councilman with the Town of Hempstead.

21 Q. How many terms did you hold as a  
22 councilman?

23 A. Well, four-year terms beginning in  
24 1993, so one, two, three, four, five, six -- I  
25 guess seven.

1 A. Santino

2 A. No, I was not.

3 Q. Do you hold any degrees, like  
4 college degrees, master's degrees or law  
5 degrees?

6 A. I have a bachelor's degree from  
7 St. John's University.

8 Q. What is that degree in?

9 A. History with a minor in government.  
10 It's a BA.

11 MR. TAND: Off the record.

12 (Discussion is held off the  
13 record.)

14 Q. Are you a member of any Republican  
15 clubs?

16 A. I'm a member of the East Rockaway  
17 Republican Club.

18 Q. Do you hold any titles with that  
19 club?

20 A. I'm the -- well -- yeah, I am the  
21 executive committeeman -- the executive  
22 leader -- it's an interchangeable title -- of  
23 the East Rockaway Republican Committee.

24 Q. How long have you been the  
25 executive --

1 A. Santino

2 A. Since 1990.

3 Q. How many people are in the East  
4 Rockaway Republican Club or Committee?

5 A. Committee? There are 11 election  
6 districts and two per -- two committee persons  
7 per election district. So a full complement is  
8 22.

9 Q. Do you hold any positions with the  
10 Nassau County Republican Party?

11 MR. MACY: Just repeat the  
12 question.

13 MR. TAND: Does he hold any  
14 positions with the Nassau County  
15 Republican Party?

16 A. I am -- being the executive leader  
17 of the East Rockaway Republican Committee makes  
18 me a member of the Nassau County Republican  
19 Executive Committee. They are -- they go hand  
20 in glove.

21 Q. How does that work? Like, what's  
22 the relationship between -- can you kind of  
23 explain it a little bit more?

24 A. The Nassau County Republican  
25 Committee has a number of -- divides the county

1 A. Santino

2 A. I have no idea.

3 Q. Robert Gaffney?

4 A. Robert Gaffney?

5 Q. Yes.

6 A. No.

7 Q. Okay. Now, when you were the  
8 supervisor of the Town of Hempstead, did you  
9 have the ability to hire and fire people?

10 A. When I was the supervisor -- I had  
11 the ability -- the Town board hires and fires  
12 people. I could make recommendations to the  
13 Town board, just as Town board members could  
14 make recommendations. But it's done -- I only  
15 had one vote out of seven. So I had no  
16 unilateral authority to hire or fire anybody.

17 Q. Let me ask you a question that you  
18 are actually uniquely able to answer and it kind  
19 of comes up a lot. What are the exact powers of  
20 the Town supervisor?

21 A. The Town supervisor is the  
22 day-to-day manager of Town affairs. But the  
23 Town supervisor is a member of a seven-member  
24 Town board and has one vote equal to the voice  
25 of all of the other members -- all the other

1 A. Santino

2 Town councilpeople.

3 Q. So is it fair to say that the Town  
4 supervisor cannot override the will of the  
5 board?

6 A. That's correct. There is no veto  
7 power or anything like that involved.  
8 Everything functions essentially as a -- by  
9 majority vote -- meaning seven people, you need  
10 four to make a majority.

11 Q. And as to the majority, the Town  
12 supervisor can't just unilaterally impose his  
13 will on the Town, correct?

14 A. That's correct.

15 Q. Do you know my client, Edward  
16 Reicherter?

17 A. Yeah, I do.

18 Q. How long have you known  
19 Mr. Reicherter?

20 A. Probably 25 or so years, maybe a  
21 little longer.

22 Q. How would you describe your  
23 relationship with Mr. Reicherter?

24 A. Casual, community-oriented. Not --  
25 not personal friends or -- or anything like

1 A. Santino

2 community.

3 Q. Do you know what other things he  
4 got involved in?

5 A. I remember him, at one point,  
6 saying that he was coaching a football team --  
7 whether it was a high school team, I don't  
8 remember the details of that -- that was  
9 requiring his presence at practices at the same  
10 time that the committee met. So that kind of  
11 thing. I believe he became very active in the  
12 fire department. So -- but it was really  
13 because we met on Saturday mornings, meaning the  
14 committee met on Saturday mornings, and I  
15 remember clearly a conversation where he said to  
16 me that because he was coaching some kind of  
17 team, he was not available for a while.

18 Q. Do you know if Mr. Reicharter held  
19 any positions with the Town of Hempstead?

20 A. He's an employee there. I couldn't  
21 tell you exactly, you know, what -- what  
22 positions he had.

23 Q. Do you know what department he  
24 works in?

25 A. Parks Department. That I know.

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A. Santino

A. Yes.

Q. When did he pass away?

A. I don't remember exactly.

Q. Would it have been in the last five years?

A. Longer, I believe.

Q. If I were to say 2010, would that refresh your recollection?

A. Could be right.

Q. Okay. And who is Fran Lenahan?

A. Fran Lenahan was a village trustee in East Rockaway and subsequently was elected mayor.

Q. Okay. When Mr. Sieban passed away, was he currently the mayor -- was he the mayor of East Rockaway?

A. At the time he passed away?

Q. Yes.

A. Yes, he was.

Q. Was there an election to replace him?

A. Yes.

Q. Did you support any candidate in that election?

1 A. Santino

2 A. Yes.

3 Q. Who did you support?

4 A. Mr. Lenahan.

5 Q. And as such, did you campaign for  
6 Mr. Lenahan?

7 A. I didn't actively campaign, no. I  
8 supported him, but I didn't actively campaign  
9 for him.

10 Q. Did you try to help him get  
11 endorsements from local figures?

12 A. I -- I mean, I don't fully  
13 understand that question. But I mean, I -- I  
14 supported him. I did not actively campaign for  
15 him, you know. Did I -- did I recommend him,  
16 his candidacy, to people? The answer to that  
17 would be yes.

18 Q. Do you know who the fire chief was  
19 at that time?

20 A. Absolutely not.

21 Q. Do you know if Ed Reicharter was  
22 the fire chief at that time?

23 A. He was a fire chief. If it was at  
24 that time, I don't know.

25 Q. Is the fire chief an elected

1 A. Santino

2 official conversation first.

3 MR. MACY: As part of the  
4 Republican Committee. Okay.

5 A. I still don't understand the  
6 question. You're going to have to clarify that.  
7 That's too broad.

8 Q. When Mr. Reicherter -- let me try  
9 to clarify a little bit more.

10 As you said, there was a point in  
11 time where Mr. Reicherter was the fire chief,  
12 correct?

13 A. He was the fire chief at some  
14 point, yes.

15 Q. Yes. That's what I'm asking.

16 A. Right.

17 Q. And while he was the fire chief,  
18 there was probably some elections within the  
19 Town of East Rockaway, right?

20 MR. MACY: If you know.

21 Q. If you know?

22 A. Undoubtedly, but -- yes, okay.  
23 Undoubtedly.

24 Q. Did you ever ask him, as fire  
25 chief, to support any specific candidates?

1 A. Santino

2 MR. MACY: Again, candidates for  
3 the fire department or political  
4 candidates?

5 MR. TAND: Political candidates.

6 A. I don't recall a one-on-one  
7 conversation with him about anything like that.  
8 I do -- I mean, would I have? Do I recall  
9 having a meeting of the East Rockaway Republican  
10 Committee at which he may or may not have been  
11 present in which the subject of who to support  
12 in certain elections came up, and a vote was  
13 taken? I remember that. He may have been  
14 there, but I don't remember.

15 Q. Who is Stan Lombardo?

16 A. He is someone who was a -- he was a  
17 member of the East Rockaway Republican  
18 Committee. And he was also, at some point, a  
19 village trustee.

20 Q. Okay. How long have you known  
21 Mr. Lombardo for?

22 A. I can't quantify it. Maybe 15  
23 years. Maybe somewhere in that general range.

24 Q. Was Mr. Lombardo in the Republican  
25 Club at the same time as Mr. Reichert?

A. Santino

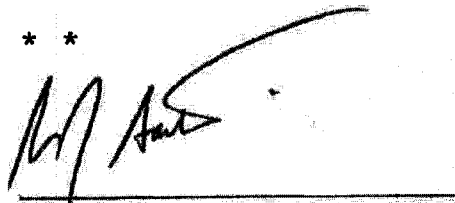
A. No.

MR. TAND: I have no further  
questions at this time.

MR. MACY: Thanks, Jonathan. I  
appreciate it.

(Time Noted: 10:47 a.m.)

\* \* \*



ANTHONY J. SANTINO

Subscribed and sworn to  
before me this 19<sup>th</sup> day  
of November, 2018.



Notary Public

Ellen M. Muller  
Notary Public, State of New York  
No. 01MU8318794  
Qualified in Nassau County  
Commission Expires February 23, 2019